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Episcopacy in the Reformation

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*It is evident unto all men, diligently readinge holye scripture, and auncient aucthours, that from the Apostles tyme, there hathe bene these orders of Ministers in Christes church, Bisshoppes, Priestes, and Deacons, ...*¹

In these, the opening words of the preface to the 1550 English ordinal, Thomas Cranmer asserted a historical certainty to the three-fold order of ministry which was far from evident to many of his fellow reformers. Reading the same sources by the early 1540s, as Cranmer presumably knew, Calvin had come to argue for not a three-fold, but a four-fold order of ministry: doctors, or teachers; pastors, or preachers; elders and deacons.² Luther's view of orders was much more fluid: having made the case in 1520 that ordination was not a sacrament, he was nonetheless convinced of the need for an ordered and authorized ministry, but he was less concerned about what form that ministry should take. It is clear, however, that Lutherans did not assert the three-fold ministry as scripturally and historically self-evident, and this must have been clear to Cranmer when he was writing the preface to the Ordinal. He had, after all, been fully immersed in the Reformation in Nuremberg in the early 1530s and was familiar with Lutheran theology and ministry.

Nonetheless, over the course of the Reformation, and despite the rejection of bishops during Oliver Cromwell's Protectorate in the mid-seventeenth century, the Church of England retained episcopal order, setting a precedent which would fundamentally shape Anglicanism. Post-Reformation Lutheran churches, in contrast, did not all implement the same form of polity. Whereas in the Nordic and Scandinavian context, structures of bishops in dioceses were retained, many of the German lands witnessed to the emergence of Lutheran church structures in which territorial rulers often exercised a '*Summepiskopat*'. Such forms have generally been rejected by Anglicans as standing outside the 'historic episcopate, locally adapted in the methods of its administration to the varying needs of the nations and peoples', laid down in the Lambeth Quadrilateral as the fourth fundamental

¹ The 1550 ordinal may be found online at http://www.justus.anglican.org/resources/bcp/1549/Deacons_1549.htm.

² John Calvin, *Institutes of the Christian Religion* IV.3.5 and IV.3.8.

for ‘church reunion’.³ However, a closer examination of the circumstances in which reformation forms of leadership emerged suggests that the relationship between temporal and spiritual powers in the Late Middle Ages shaped what structures proved feasible at the introduction of the Reformation. Moreover, different challenges accompanied the reformation of a national church in contrast to the church of a geographically smaller territory. This paper aims to shed light on the different forms taken in the early modern period by ‘the historic episcopate, locally adapted’. It does so by offering a consideration of the reforms undertaken in the ordering of the English church under and by Henry VIII (and, briefly, under his successors) and exploring them in the context of what was happening at a similar period in Saxony and other territories in the Holy Roman Empire which introduced the Reformation. It will conclude by reflecting on how these observations might shed light on the polity of the Scottish churches.

Bishops in the late-medieval church in England and the German territories

In approaching this question, it is instructive to consider the very different ecclesiastical and political contexts of the late-medieval Holy Roman Empire in comparison with those of first England and then Scotland. Reformation church order built on – or reacted to – the structures of the medieval church. In the German lands, the birthplace of the Reformation, these were distinctive. Here, as nowhere else in the Western Church, bishops were prince-bishops:⁴ their spiritual jurisdictions extended over the territories of other princes, but they also exercised civic jurisdiction which placed them not only on a par with their secular counterparts, but often in direct competition with them. Although nominally subject to imperial and papal power, most German bishops were elected by cathedral chapters which were firmly in the hands of noble families who took it in turns to nominate a candidate for office.⁵

³ The Lambeth Quadrilateral was Resolution 11 of the 1888 Lambeth Conference [online at: <https://www.anglicancommunion.org/resources/document-library/lambeth-conference/1888/resolution-11?author=Lambeth+Conference&year=1888>].

⁴ German bishops were listed under *principi* in the Vatican filing system, whilst English (and presumably also Scottish) bishops were listed under *vescovi*: Hans-Jürgen Brandt, ‘Furstbischof und Weihbischof im Spätmittelalter. Zur Darstellung der *sacri ministerii summa* des reichskirchlichen Episkopats’, p. 1.

⁵ For further details of the German aspects of what follows, see Charlotte Methuen, ‘The German Catholic Dioceses and their Bishops on the Eve of the

In England, in contrast, although bishops often had high political status, their dioceses fell within the jurisdiction of the monarch to whom bishops were subject. Elections of bishops were nominally conducted by cathedral chapters, but this process was largely a formality: the king normally indicated his choice to the chapter by means of a *congé d'élire*; the chapter elected the named candidate, and the bishop-elect was then commended to the pope.⁶ As in the German lands, the sees of English bishops included temporal estates which the bishops held on the same basis as lay lords,⁷ and English bishops were, as Felicity Heal puts it, 'spiritual noblemen'.⁸ However, an English bishop owed a strong allegiance to the king, who had either recommended him for office or actively agreed to his appointment.⁹ Moreover, English bishops were integrated into the national structures of governance: they sat in the House of Lords, and Thomas Wolsey, appointed Archbishop of York in 1514, was also Lord Chancellor of England from 1515. English bishops were integrated into a national political hierarchy headed by the king.

This was quite different from the situation of the German princes and city councils, who often found themselves in political conflict with the local bishop and his territorial interests. When German rulers moved to introduce the Reformation into their territories, therefore, they often needed to act against a neighbouring ecclesiastico-political power. In England, in contrast, when the king moved to assert his authority over the church and deny that of the pope, and claimed the right, amongst others, to appoint bishops directly and without reference to the papacy or any other foreign power, he was, as Carleton recognizes 'abrogating to himself a jurisdiction which for many years had *de facto* been exercised by the crown; the claim was for the *de jure* right to exercise that appointing power'.¹⁰ Here too the contrast to the German situation is apparent. The Duke of Jülich and Berg, for instance, had in the late-fifteenth century sought to strengthen his authority over the church in his territory, rejecting the authority of the Archbishop of Cologne

Reformation', in *The Oxford Encyclopedia of Martin Luther*, ed. by Derek R. Nelson and Paul R. Hinlicky (Oxford Research Encyclopedias – Religion; New York: OUP), vol. 1, pp. 521-38 [online at: doi:10.1093/acrefore/9780199340378.013.275].

⁶ Kenneth Carleton, *Bishops and Reform in the English Church, 1520-1559* (Woodbridge: Boydell, 2001), p. 7.

⁷ *Ibid.*, p. 8.

⁸ Felicity Heal, *Of Prelates and Princes: A study of the economic and social position of the Tudor episcopate* (Cambridge: CUP, 1980), p. 20.

⁹ Carleton, *op. cit.*, pp. 7-8.

¹⁰ *Ibid.*, p. 7.

as a 'foreign power' and introducing the office of '*Landesdechant*' (Territorial Dean) appointed by the Duke himself.¹¹ In Jülich, the Archbishop of Cologne was the 'foreign power', while in the English context that role would be reserved for the pope: the bishops, although they needed, in Henry's eyes, to be brought under his authority, were integrated into a political system which had mechanisms by which this could be done.

Henry VIII and the episcopate

There are good reasons, therefore, to see the continuation of the episcopal structure in the English church as related to the national scale of its reformation. Significantly, as Heal points out, 'the structure of the church over which [the bishops] presided was relatively well integrated into the English commonwealth'¹² This proved an important factor in the English Reformation, for if what was wanted was a reformed church to serve the whole of England, then structures were needed that extended across the country, linking parishes into a united organization; this was precisely what the medieval system of parishes, dioceses and provinces offered. Nonetheless, the transition was not seamless, and there are indications that the place of bishops in the church created by Henry VIII's break from Rome was not entirely assured. Henry VIII (or perhaps John Fisher, Bishop of Rochester from 1505-1535, or Thomas More) defended the role of bishops in his *Assertio septem sacramentorum*, written against Luther in 1521.¹³ However, the position of English bishops in the 1530s suggests the English bishops saw their position as less assured than it looks in hindsight. In September 1530, the king was asserted by the Dukes of Suffolk and Norfolk to be 'absolute both as emperor and pope in his own kingdom',¹⁴ and this principle underlay the series of parliamentary acts through which Henry took control of the English Church: the Act for the Pardon of the Clergy (1531), the Act of Restraint of Appeals (1533) and the Act of Supremacy

¹¹Antje Flüchter, *Der Zölibat zwischen Devianz und Norm: Kirchenpolitik und Gemeindealltag in den Herzogtümern Jülich und Berg im 16. und 17. Jahrhundert* (Köln: Böhlau, 2006), p. 96.

¹²Heal, *op. cit.*, p. 19. In making this comment, Heal contrasts the situation of bishops in England to that in Scandinavia, where 'the bishops posed the major threat to the crown' and suggests that in Scotland the situation was one of competition between nobles and bishops.

¹³ See Martin Krarup, *Ordination in Wittenberg: die Einsetzung in das kirchliche Amt in Kursachsen zur Zeit der Reformation* (Tübingen: Mohr Siebeck, 2007), p. 32.

¹⁴Malcolm B. Yarnell III, *Royal priesthood in the English reformation* (Oxford: OUP, 2013), p. 127.

(1534).¹⁵ The king's headship over the church included, as the Act of Supremacy declared, not only 'matters of jurisdiction and administration', but also doctrine and the interpretation of Scripture.¹⁶ In 1535, the English bishops were required to petition Henry for reappointment to their sees and for the right to perform episcopal functions including ordinations, visitations and the granting of probate, and in 1536, Henry appointed Thomas Cromwell, a layman, to be Vicar-General and Vicegerent of the King in matters spiritual.¹⁷ This appointment, taken together with the dissolution of the monasteries and the secularization of much ecclesiastical property, some of which had belonged to bishops, suggests that at the time it cannot have been clear that the process of secularization would not become even more radical to the extent of transferring episcopal functions to laymen.¹⁸ If Thomas Cromwell could be made vicegerent in spiritual matters, why could this principle not extend to the appointment of bishops? There were precedents, criticized by those who called for church reform, of late-medieval bishops who had been consecrated long after they had taken up their responsibilities, or not at all. Although bishops were retained, by the early 1540s, episcopal jurisdiction was asserted to be exercised 'by virtue only of the King's supremacy and at his good pleasure', and bishops' authority to carry out diocesan visitations (through which they were to support the supremacy) was given to them 'of God and the King'.¹⁹ The effect, as Carleton asserts, was that 'by the end of the 1530s, the bishops had become entirely dependent on the king for the exercise of their power'.²⁰ Moreover, suggests Yarnell, the bishops justifiably feared that the ordained ministry might disappear altogether: 'The dissolution of the monasteries and the radical threats in Parliament called into question the need for the clergy. ... The ministry was under siege from king and laity.'²¹

That not all English bishops saw this situation positively is scarcely surprising. Reform was recognized to be necessary, and the revised canons proposed by the Convocation of Canterbury in conjunction with the Reform Parliament in 1529 had called for reform of the church, including the role of the bishops, and required bishops 'diligently [to] carry out the things ...

¹⁵Carleton, *op. cit.*, pp. 12-13.

¹⁶Ibid., p. 13; cf. 'The Act of Supremacy, 1534', in *Documents of the English Reformation*, ed. by Gerald Bray (Cambridge: James Clarke, corrected edition 2004), pp. 113-114.

¹⁷Carleton, *op. cit.*, p. 14.

¹⁸Heal, *op. cit.*, pp. 104, 107.

¹⁹Carleton, *op. cit.*, pp. 14, 16.

²⁰Ibid., p. 15.

²¹Yarnell, *op. cit.*, pp. 181.

which pertain to their office'.²² By the late 1530s, Cuthbert Tunstall, Bishop of Durham and John Stokesley, Bishop of London, were arguing that the principal duty of the secular ruler is 'to defend the faith of Christ and his religion, maintain true doctrine, abolish abuses, heresies, idolatries, to oversee priests and bishops in exercising their power, office and jurisdiction faithfully'. The king, they thought, should be excluded from holding a preaching or sacramental function, and ecclesiastical office holders should be excluded from temporal power, except as delegated by secular ruler.²³ Tunstall and Stokesley's position chimed with the terms of the Act of Supremacy, whilst trying to maintain and define the bishops' authority. Edward Foxe, appointed Bishop of Hereford in 1535, argues that the king holds 'the supreme authority of spiritual and temporal things'. He 'makes', 'ordains', and 'consecrates' bishops, whose office is 'to pray and preach the word of God, and to offer gifts and sacrifices for sin'. Bishops cannot claim the temporal sword and must obey their prince.²⁴ Stephen Gardiner, Bishop of Winchester from 1531, argued that the king, as supreme head of the realm, must also be supreme head of the church in England, since the people concerned 'is one and the same congregation': he has a God-given responsibility for spiritual and eternal affairs which he exercises through the hierarchy of 'the very real degrees of clergy—archbishop, bishop and curate', also divinely instituted, who 'cooperate in the offices of teaching and ministry of the sacraments'.²⁵ Gardiner's position, as Yarnell observes, 'offered a constitutional arrangement for increasing the power of prelates over the lower clergy and the laity. ... King and bishop are united in a rigid ecclesiocracy'.²⁶ In contrast, in 1537, eight bishops at the London Synod issued a 'Judgement of some Bishops' which argued that 'kings have a general charge but not a sacerdotal cure', and that 'bishops and priests ... are to teach and determine doctrine, and loosen [*sic!*] and bind sin.' Moreover, in the view of the bishops, 'Kings are subject to them in these matters. On their part, kings are to ensure that bishops and priests do their duty.'²⁷

²² *The Anglican Canons, 1529-1947*, ed. by Gerald Bray (Church of England Record Society 6; Woodbridge: Boydell, 1998), pp. 2/3 (the Latin text is given on the even pages; the English translation on the odd).

²³ Carleton, *op. cit.*, pp. 16-17.

²⁴ Yarnell, *op. cit.*, pp. 166-67.

²⁵ *Ibid.*, pp. 167-69.

²⁶ *Ibid.*, p. 169.

²⁷ *Ibid.*, p. 181.

Ministries of oversight in the German Reformation

Followers of the Reformation elsewhere, in contrast, were questioning whether the church needed an ordained ministry at all, let alone an episcopally ordained ministry. Tyndale's English translation of the New Testament, which had rendered Greek *presbyteros* as 'elder', who was 'nothing but an officer to teach', should not be understood as a mediator between God and other Christians, and did not need episcopal ordination.²⁸ Similarly, Krarup argues that Luther and Melanchthon did not believe ordination to be always necessary for the celebrant at the Lord's Supper.²⁹ Within German evangelical territories, the consensus that an authorized ministry was necessary had been articulated in the 1530 Augsburg Confession, which asserted: 'Of Ecclesiastical Order they teach that no one should publicly teach in the Church or administer the Sacraments unless he be regularly called.'³⁰ However, agreement over the proper liturgical form for evangelical ordination, was only beginning to emerge in the mid-1530s, and the question of who should ordain was a part of this discussion.³¹ Luther had argued in 1520 that a bishop ordained on behalf of the wider church: 'in the place and stead of the whole community, all of whom have like power, he [the bishop] takes a person and charges him to exercise this power on behalf of the others.'³² In 1523, when he was consulted about the possibility of establishing an evangelical bishopric in Bohemia, Luther advised that such a bishop should take overall responsibility for the leadership of the church leadership and should lead visitations, but did not identify ordinations specifically as part of the bishop's responsibility.³³ In the visitation order for Saxony, the *Unterricht der Visitatoren*, in contrast, the Wittenberg Reformers identified the original responsibilities of a bishop as the examination and ordination of the clergy, oversight over church courts, the organization of synods, and oversight of schools, universities and all who worked in them or

²⁸Ibid., pp. 169-70.

²⁹Krarup, *op. cit.*, pp. 120-21.

³⁰ Augsburg Confession, Article XIV [online at: <http://bookofconcord.org/augsburgconfession.php#article14>].

³¹Thus, Smith, *Luther, Ministry and Ordination Rites*, identifies 1525-1535 as a 'decade of transition' for Lutheran ordination rites and practices, and 1535-1570 – long after Luther's death – as a period of 'emerging consensus' (titles of chapters 3 and 4).

³²Martin Luther, *To the Christian Nobility of the German Nation*, WA 6, 407; LW 44, 128.

³³Krarup, *op. cit.*, pp. 65-66.

served the church.³⁴ These responsibilities must be fulfilled, and if they were not properly exercised by the bishop then someone else must be appointed to do so. Ensuring continued oversight of the church in the German territories was a priority, but this might not be through bishops.

However, here again the complexity of the German jurisdictions and their difference to the English situation becomes clear. In authorizing the 1528 visitation of the Saxon churches, Elector Johannes Friedrich was appropriating the jurisdiction of the Bishop of Brandenburg over the Saxon churches, a transfer of authority which had been taking place with respect to Wittenberg since at least the turn of the sixteenth century.³⁵ In order to maintain order with the Saxon church, superintendents were appointed, who had a regional jurisdiction which was subordinate to that of the Elector. Luther held that bishops should more properly be understood in terms of their responsibilities as ‘inspectors or visitors’,³⁶ quite likely drawing on Augustine’s explanation that the most appropriate Latin translation of the Greek term *episcopos* was superintendent.³⁷ For political reasons the new areas of jurisdiction in the German lands were generally defined within territorial boundaries, and therefore differed significantly from the

³⁴ Arne Butt, “‘Wir sehen nicht gerne Unordnung“. Protestantische Kirchenleitungsmodelle und Ordnungsprinzipien on Konsistorialordnungen des 16. Jahrhunderts“, in *Gute Ordnung. Ordnungsmodelle und Ordnungsvorstellungen in der Reformationszeit*, ed. by Irene Dingel and Armin Kohnle (Leipzig: Evangelische Verlagsanstalt, 2014), pp. 49-64, here 53; for the process of drafting the *Unterricht der Visitatoren*, see Stefan Michel, “‘Der Unterricht der Visitatoren“ (1528. Die erste Kirchenordnung der von Wittenberg ausgehenden Reformation?“ in *Gute Ordnung*, ed. by Dingel and Kohnle, pp. 153-67.

³⁵ As argued in Natalie Krentz, *Ritualwandel und Deutungshoheit. Die frühe Reformation in der Residenzstadt Wittenberg (1500–1533)* (Tübingen: Mohr Siebeck, 2014); compare eadem, ‘The Making of the Reformation: The Early Urban Reformation Between Continuity and Change’, *Reformation and Renaissance Review* 19 (2017), 30-49.

³⁶ Martin Luther, ‘Lectures on Titus’, in *D. Martin Luthers Werke* (Weimar: Hermann Böhlhaus Nachfolger, 1902), vol. 25, p. 17; *Luther’s Works* (Saint Louis: Concordia Publishing House 1968), vol. 29, p. 17.

³⁷ Augustine writes, ‘For thus a higher place is accorded to bishops, so that they direct and, as it were, take care of the people. For what is called *episcopos* in Greek is translated in Latin as superintendent, because he directs, because he oversees’: Commentary on Psalm 126, par. 3 (*Patrologia Latina* 37, 1669). I am grateful to Timothy Wengert for this reference.

geographical boundaries of the medieval dioceses.³⁸ However, the pattern of a German prince overseeing a church by means of superintendents which emerged in most Protestant territories during the 1530s was broadly similar to the pattern of the English king overseeing the church by means of bishops which by 1540 was being confirmed as the shape of the Henrician church. The geographical continuities in England, in contrast to Germany, meant that many bishops presided over dioceses which were contiguous with medieval boundaries; they were enthroned in cathedrals and presided over cathedral chapters as their medieval predecessors had done. The new dioceses that were founded after the dissolution of the monasteries, often to preserve abbey churches with royal connections and elevate them to cathedral status, mirrored these medieval structures. They too had cathedral churches with cathedral chapters, although the legal and constitutional status of the new dioceses – and indeed of all those English dioceses whose cathedral churches had until the early 1540s been monastic foundations – was not entirely clear, and would not become so until the reign of Mary I.³⁹

Bishops in the Henrician church were clearly expected to enforce the ecclesiastical changes introduced by king and parliament.⁴⁰ However, the retention of bishops does not seem to have been a key reason why Luther and his followers were suspicious of the English developments; this question certainly did not emerge as a key issue in the long negotiations in the spring of 1538.⁴¹ Similarly, when Bucer wrote to Cranmer regarding the English Reformation, he made proposals which took account of the episcopal

³⁸This was not always the case, as when Nikolaus Amsdorff was ‘ordiniert und eingeweiht’ as Bishop of Naumburg in 1542. See Peter Brunner, *Nikolaus von Amsdorf als Bischof von Naumburg* (Gütersloh: Gütersloher Verlagshaus, 1961).

³⁹The dioceses founded by Henry VIII were: Westminster (17 December 1540), with Westminster Abbey as its cathedral; Chester (4 August 1541); Gloucester (3 September 1541); Peterborough (4 September 1541); Bristol (4 June 1542); and Oxford (1 September 1542).

⁴⁰Heal, *op. cit.*, p. 106.

⁴¹See, for instance, Rory McEntegart, *Henry VIII, the League of Schmalkalden, and the English Reformation* (Woodbridge: Boydell, 2002), pp. 55-60. Compare also the letter of Antony Musa to Stephen Rothe, 16 January 1536: *Corpus Reformatorum* (Halle: C. A. Schwetschke, 1836), vol. 3, col. 12-14 (no. 1389); *Letters and papers, foreign and domestic, of the reign of Henry VIII: preserved in the Public Record Office, the British Museum, and elsewhere* (London, HM Stationery Office, 1887), vol. 10, 38-39 (no. 112) [online at: <http://www.british-history.ac.uk/letters-papers-hen8>].

structure of the Church.⁴² Bucer believed that overseers, pastors, elders and deacons were all necessary offices to fulfil the ministry of the church, and he seems to have understood England's bishops as fulfilling the role of overseer.⁴³ What was important to the German reformers, as they emphasized when defining the church in the Augsburg Confession, was that the true gospel be preached and the sacraments properly administered.⁴⁴ Increasingly, they recognized that structures needed to be defined in order that this happen, but were unconcerned about what shape those structures took.

The English episcopate reformed

Under Henry VIII, then, the monarch had become responsible for maintenance and continuation of ministry in the realm,⁴⁵ and this situation continued under his son Edward VI. On Edward's accession, as after the Act of Supremacy, the bishops were required to petition for licences to exercise office.⁴⁶ In 1547, the bishops' visitation rights were removed and ordinary episcopal jurisdiction suspended;⁴⁷ although bishops were subsequently given authority to carry out visitations, they received this in their capacity as royal commissioners.⁴⁸ From 1548, licences to preach could be issued only by the king.⁴⁹ The practical dependence of bishops in the king was not, however, evident from the ordinal of 1550, which made no mention of the king except in the requirement that each ordinand swear an oath recognizing the king's supremacy, and in the inclusion in the consecration service of bishops and archbishops of the reading of the king's mandate for their consecration.⁵⁰ The ordinal also, as observed at the outset of this paper, affirmed the three-fold ministry, which Cranmer must have known was not the pattern of ministry used in other reformed territories. Diarmaid MacCulloch suggests that Cranmer's assertion may have been a strategy to win approval for the revised ordinal from the more conservative bishops,

⁴²Willem van 't Spijker, *The Ecclesiastical Offices in the Thought of Martin Bucer* (Leiden: Brill, 1996), p. 387, citing Bucer's correspondence with Farel and Calvin.

⁴³*Ibid.*, pp. 387, 389.

⁴⁴ Augsburg Confession, Article VII [online at: <http://bookofconcord.org/augsburgconfession.php#article7>].

⁴⁵Carleton, *op. cit.*, p. 24.

⁴⁶*Ibid.*; Heal, *op. cit.*, p. 126.

⁴⁷Heal, *op. cit.*, p. 127-28.

⁴⁸Carleton, *op. cit.*, pp. 24-25.

⁴⁹*Ibid.*, p. 25.

⁵⁰*Ibid.*

similar to the addition of ‘commonly called the Mass’ to the title of the Lord’s Supper in the 1549 Book of Common Prayer, which had helped it to pass the Lords.⁵¹ It may also have been intended as reassurance to the imperial ambassador: Heal believes that the need to appease the Emperor to some extent restrained moves to appropriate episcopal wealth and reconfigure the bishop as ‘a preaching supervisor, supported by an appropriate “competent maintenance”’.⁵² Edward VI’s death interrupted this process of re-visioning the English episcopate.

During the reign of Edward’s Catholic half-sister, Mary, bishops although now again looking to Rome, did not generally exercise secular functions. This was a reforming Catholic episcopate. Mary appointed as bishops theologically educated men, rather than lawyers or diplomats, and the expectation of both Mary and her Archbishop of Canterbury, Reginald Pole, was that the bishops would play a key role in the task of restoring the church. Accordingly, Pole exhorted the bishops to ‘rectify their non-residency and preach the gospel to the flocks they should love’.⁵³ Improved diocesan structures were central to this concept: cathedrals were to be ‘exemplars of good practice and centres of orthodox spiritual life’.⁵⁴ Under Pole, diocesan seminaries were established; he sought to regulate diocesan finances and the Diocese of Durham received new statutes.⁵⁵ By Mary’s death, Loades observes, her bishops ‘had done much to put the affairs of their dioceses in order and to restore a measure of respect for the

⁵¹Diarmaid MacCulloch to Charlotte Methuen, private communication 20 May 2016.

⁵²Heal, *op. cit.*, pp. 128-30.

⁵³Yarnell, *op. cit.*, p. 260. Pole believed that the bishops had a responsibility not only to reform the clergy, but also to influence and reform the papacy when needed: the pope’s office, he taught, ‘must be carried out in the midst of the bishops, for all bishops share equally in the succession, and papal inerrancy “inhered in the college of cardinals, not the pope”’. Ibid., pp. 258-69.

⁵⁴David Loades, *Tudor government: structures of authority in the sixteenth century* (Oxford: Blackwell, 1997), pp. 181-82. Compare also David Loades, ‘The Marian Episcopate’, in *The Church of Mary Tudor*, ed. by Eamon Duffy and David Loades, (Aldershot: Ashgate, 2006), pp. 40, 55; Eamon Duffy, *Fires of Faith: Catholic England under Mary Tudor* (New Haven: Yale University Press, 2009), pp. 23-25.

⁵⁵Duffy, *op. cit.*, pp. 25-28; Loades, *op. cit.*, pp. 181-83; Thomas F. Mayer, ‘The success of Cardinal Pole’s final legation’, in Duffy and Loades, *op. cit.*, pp. 149-75.

episcopacy'.⁵⁶ These diocesan reforms would prove invaluable when Elizabeth ascended to the throne, and it is entirely plausible that, as Loades suggested, it was Mary's reign that preserved episcopacy in England.⁵⁷

However, the re-catholicization of England and the persecution of Protestants during Mary's reign also prompted the development of a more radical approach to church order. Heal believes that it was in 1554 that the question of the abolition of the episcopacy first began to be explored seriously in England,⁵⁸ and Yarnell notes that 'among the exiles, self-government became a way of life', with some, including the future Archbishop of York, Edwin Sandys, 'having experienced and approved congregational self-government', and specifically 'congregational election and discipline of ministers'.⁵⁹ By the mid-sixteenth century, Calvin's reflections on the role of bishops and his advocacy of a four-fold ministry of doctors (i.e. teachers), preachers, elders and deacons had begun to emerge as an alternative way of thinking about church order. Some English divines, particularly those exiled and living in German or Swiss churches, began to consider whether the church might not be better off without bishops at all.⁶⁰ This too was a legacy bequeathed by the Marian restoration to the Elizabethan church.

Bishops under Elizabeth I

In the reign of Elizabeth deep conflicts about the retention of episcopacy in the English church began to surface. Brett Usher argues convincingly that 'there must be a very strong presumption' that in the first eleven months of Elizabeth's reign William Cecil, her main adviser at this period, was in favour of the reforms which would have transformed bishops from prelates who drew incomes from their own estates into 'superintendents' with fixed

⁵⁶David Loades, *Politics, censorship and the English Reformation* (London: Pinter, 1991), p. 197.

⁵⁷Ibid.; compare C. S. Knighton, 'Westminster Abbey Restored', in: Duffy and Loades, *op. cit.*, pp. 77-123, at 105.

⁵⁸Heal, *op. cit.*, p. 144.

⁵⁹Yarnell, *op. cit.*, p. 265.

⁶⁰Brett Usher cites the example of the London Protestant congregation which under Mary ordained its own minister without episcopal involvement, noting that the Elizabethan bishop of London, Matthew Grindal retrospectively 'approved, ratified, authorized and confirmed' this minister's ordination. Brett Usher, "'In time of persecution': New light on the secret Protestant Congregation in Marian London", in *John Foxe and the English Reformation*, ed. by David Loades (Aldershot: Scolar Press, 1997), pp. 233-51, at 234.

salaries.⁶¹ However, Elizabeth herself ‘held grimly and tenaciously’ to the principle of *cuius regio, eius religio*, and ‘[refused] to countenance any fundamental alteration of the episcopal order’.⁶² The 1559 Settlement re-established the controls over the English bishops (and indeed all clergy) which had been put in place under Henry VIII; it reinstated the formal expectation that the bishop be appointed by the cathedral chapter, although in practice a royal mandate commanding the chapter to elect the candidate of the Queen’s choice was sent to the chapter.⁶³ At the same time, through the Act of Exchange, appropriations of land and assets from the bishops and dioceses continued.⁶⁴ Elizabethan bishops, although they continued to be ‘members of the House of Lords, possessors for life of landed estates, and prominent leaders – moral, judicial, financial and military – of provincial society’,⁶⁵ found their power base significantly eroded. This left the episcopate with a problem: ‘the crown was expecting its senior clerics to discharge their secular duties as effectively as they had done before the Reformation, but ... it failed to offer them the support which would have given them the authority and enthusiasm to fulfil those duties.’⁶⁶ Moreover, many of the Elizabethan bishops did not view these secular responsibilities as proper to the episcopal office, and some of the bishops appointed by this state system understood their role in ways which stood in tension with the queen’s view of their function. Whitgift, for instance, ‘re-oriented episcopal authority, intending to align English episcopacy with Calvin’s own views on polity and ecclesiastical authority’.⁶⁷ The episcopate in England at the end of the sixteenth century was very different from that which had existed at the beginning of the century.

The Scottish church and episcopacy

Ten years after Cranmer drafted the English ordinal, the Reformation was introduced in Scotland. Looking back, Mullan observes, Knox in his *History of the Reformation* presented bishops with ‘a menacing visage’, as ‘idle,

⁶¹Brett Usher, *William Cecil and episcopacy, 1559-1577* (Aldershot: Ashgate, 2003), pp. 14-15.

⁶²*Ibid.*, pp. 4, 182.

⁶³Heal, *op. cit.*, p. 205; for the practice, see Usher, *op. cit.*, p. 11.

⁶⁴Heal, *op. cit.*, pp. 204-10; Usher, *op. cit.*, pp. 13-14.

⁶⁵Usher, *op. cit.*, p. 5.

⁶⁶Heal, *op. cit.*, p. 236.

⁶⁷ Marcus K. Harmes, ‘Calvin and the English Episcopate, 1580-1610’, *Anglican and Episcopal History*, 81 (2012), 22-46 (31).

immoral, avaricious, and persecuting'.⁶⁸ In practice however, there were in Scotland, as in England, bishops who embraced the Reformation and sought to implement it in their dioceses.⁶⁹ Initially Scotland's *First Book of Discipline* (1560) envisaged national church structures which centred on a form of reformed episcopate: locally elected superintendents were to replace bishops in overseeing the Scottish dioceses, preaching regularly and diligent in visiting the parishes.⁷⁰ However, this structure proved complex: bishops continued to exist alongside superintendents and to draw their revenues; power over the appointment of superintendents proved tempting to nobility and to the monarch, and some superintendents were attracted to the trappings of high office, so that, as Mullan comments, 'the common member of the kirk could be excused for failing to observe any significant difference between old bishop and new superintendent.'⁷¹ The *Second Book of Discipline*, drafted in 1578 and endorsed by the Church of Scotland's General Assembly in 1581, condemned all forms of episcopacy, and replaced both bishops and superintendents by presbyteries.⁷² Presbyterian church order in Scotland represented an application of Calvin's principles to a national sphere in which the status of the late-medieval church was contested and its bishops were far less integrated into structures of governance than their English counterparts.⁷³ Questions of Scottish church order would prove highly controversial, in part because the rejection of bishops was also a

⁶⁸David George Mullan, *Episcopacy in Scotland: the history of an idea, 1560-1638* (Edinburgh: Donald, 1986), pp. 10, 12.

⁶⁹ See Gordon Donaldson, *Reformed by bishops: Galloway, Orkney and Caithness* (Edinburgh: Edina Press, 1987).

⁷⁰The Head, or chapter, 'Of the Superintendents' follows the Fourth Head, 'Concerning Ministers and their Lawful Election', in *The First Book of Discipline*, ed. by James K. Cameron (Edinburgh: Saint Andrew Press, 1972), pp. 115-28. See also Mullan, *op. cit.*, pp. 17-32.

⁷¹Mullan, *op. cit.*, p. 33.

⁷² These structures are described in chapter VII, 'Of Elderschipis, and Assemblies and of Discipline', in *The Second Book of Discipline*, ed. by James Kirk (Edinburgh: Saint Andrew Press, 1980), pp. 195-206; compare Mullan, *op. cit.*, pp. 50-52.

⁷³ See, for instance, Jane Dawson, *Scotland Re-Formed, 1488-1587* (Edinburgh: Edinburgh University Press, 2007), especially pp. 17-20, 184-86; Alec Ryrie, *The Origins of the Scottish Reformation* (Manchester: Manchester University Press, 2006), especially pp. 14-16, 97-98, 103-04. For relations between England and Scotland see also Claire Kellar, *Scotland, England, and the Reformation, 1534-61* (Oxford: Clarendon Press, 2003).

rejection of the king's right to exercise authority over the church.⁷⁴ Both James VI and Charles I sought to introduce bishops into the Presbyterian system. The civil war that erupted across England and Scotland, Wales and Ireland in the 1640s was caused in large part by conflicts centred on precisely these questions of polity: was church order in England and in Scotland – from 1603 two countries under one crown – to be episcopal or Presbyterian? Over the course of the seventeenth-century, in both Scotland and England, the organization of the national churches and the exercise of authority would take a variety of forms, some with bishops, others without. After 1660, the restoration introduced episcopal churches in both Scotland and England in a context in which, as Marcus Harmes argues, 'the reformation of the episcopate [that is, as undertaken under the Tudor monarchs] functioned as a legitimating agent for episcopal authority.'⁷⁵ It was not until 1690 that the Church of Scotland was finally defined to be Presbyterian, and bishops excluded, leaving the legal status of the Episcopal Church in Scotland disputed into the nineteenth century. Whilst in Germany and Switzerland, the heftiest theological disputes centred on questions such as the Eucharist, in England and Scotland wars were fought over polity and the retention or abolition of bishops.

Conclusions

This paper has suggested that light can be shed on the varying polities of the Reformation churches, and particularly their respective political theologies, by considering these against the backdrop of pre-Reformation patterns of relationships between bishops and territorial rulers. The situation and status of a bishop in England and his relationship to the king of England was quite different from the situation or status of a bishop in the German lands, and his relationship to the local lords and princes. The implementing of the Reformation in a territory which lay within a diocese or one which straddled two or more diocesan boundaries was a quite different proposition from the challenges posed by implementing the Reformation into a country in which the bishops were – at least to some extent – subjects of the king. The example of Scotland shows how the Reformation might also be introduced into a nation in such a way as to redefine the relationship between church, nation and king. All these developments – the reformed English episcopate, Scottish presbyterian structures, and German superintendents who reported to their prince, who exercised a very similar role to that held by the German prince

⁷⁴Mullan, *op. cit.*, pp. 195-96.

⁷⁵ Marcus Harmes, 'The restoration of the episcopate and the English Reformation', *International Journal for the Study of the Christian Church*, 12 (2012), 27-43 (27).

bishops – were intended to provide ways of exercising oversight whilst correcting what were seen as the problems of episcopacy as practised in the late-medieval period. The Council of Trent, particularly the third phase in 1561-63, also reformed the Catholic episcopate. Arguably, all these different structures that emerge in different contexts in the Reformation could legitimately be viewed as ‘the historic episcopate, locally adapted in the methods of its administration to the varying needs of the nations and peoples’.